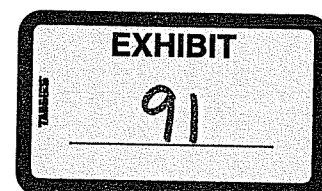


MEAGAN SMITH, 9-10-08

1

1	IN THE UNITED STATES DISTRICT COURT FOR THE	
2	NORTHERN DISTRICT OF OKLAHOMA	
3		
4	W.A. DREW EDMONDSON, in his)	
5	capacity as ATTORNEY GENERAL)	
6	OF THE STATE OF OKLAHOMA and)	
7	OKLAHOMA SECRETARY OF THE)	08:59
8	ENVIRONMENT, C. MILES TOLBERT)	08:59
9	in his capacity as the)	
10	TRUSTEE FOR NATURAL RESOURCES)	
11	FOR THE STATE OF OKLAHOMA,)	
12)	
13	Plaintiff,)	
14)	
15	vs.) 4:95-CV-003290-TCK-SAJ	
16)	
17	TYSON FOODS, INC., et al.,)	08:59
18)	08:59
19	Defendants.)	
20		
21	- - - - -	
22		08:59
23	VIDEO DEPOSITION OF MEAGAN SMITH, produced as a	
24	witness on behalf of the Defendants in the above	
25	styled and numbered cause, taken on the 10th day of	
	September, 2008, in the City of Tulsa, County of	
	Tulsa, State of Oklahoma, before me, Karla E.	08:59
	Barrow, a Certified Shorthand Reporter, duly	
	certified under and by virtue of the laws of the	
	State of Oklahoma.	
		08:59

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1 Gordon Johnson where he said I didn't recognize the
2 name and didn't realize that Smith was you.

3 A Right.

4 Q Well, good.

5 A I probably should have corrected that or let 09:36
6 you know that.

7 Q How many employees are there at your
8 consulting company?

9 A I --

10 Q Tom Alexander -- 09:37

11 A Yeah, who owns it, and then I guess -- I work
12 contract for him.

13 Q Okay.

14 A So I guess technically I'm not even an
15 employee. Does that -- but there is myself, another 09:37
16 woman and office manager, and also an IT gentleman.

17 Q And that's it?

18 A Yes, currently.

19 Q All right. Let's get into your report. This
20 is Exhibit 67, and the errata sheet is 68. 09:37

21 MR. ELROD: Anybody else want one?

22 Q (By Mr. Elrod) What mass were you balancing?

23 A Phosphorus.

24 Q And why was it just phosphorus?

25 A That's what I was asked to limit it to. 09:38

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1 report, you're actually talking about P205?

2 A No, phosphorus.

3 Q You're not talking about elemental phosphorus?

4 A I'm not talking about P205.

5 Q You're not talking about elemental either, are 09:54
6 you?

7 A It's total phosphorus.

8 Q And that's different from elemental?

9 A I'm not sure I get the grasp of --

10 Q Rarely, if ever, in the environment will you 09:54
11 find the P atom standing alone by itself; isn't that
12 true?

13 A Yes.

14 Q It's virtually always combined with other
15 elements to form a compound of some sort, like 09:54
16 P205?

17 A That is not my expertise, but --

18 Q But that's right, though, isn't it?

19 A Yes.

20 Q Okay. Your estimate was that poultry 09:54
21 production or land application of chicken litter is
22 currently responsible for more than 76 percent of
23 the net annual phosphorus additions to the IRW; is
24 that true?

25 A Yes. 09:55

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1 just recycling. The one exception that we made to
2 that was deer that are -- we assume that are -- are
3 actually a loss to phosphorus from the watershed as
4 they are harvested during hunting season.

5 Q What do you do with cattle? 10:37

6 A What type of cattle?

7 Q Beef cattle.

8 A We assume, for the most part, that beef cattle
9 is -- recycles, actually is recycling nutrients in
10 the watershed, that we do account for the possible 10:37
11 supplementation of heifers and beef cows that have
12 calved, that are calving, so we do include the
13 addition of phosphorus from that.

14 Q Cattle eat grass; correct?

15 A Yes. 10:37

16 Q They don't eat dirt, do they?

17 A No.

18 Q And the phosphorus that they poop is
19 phosphorus that's contained in the blade of grass
20 that they eat; correct? 10:37

21 A Yes.

22 Q And the blade of grass that contains that
23 phosphorus has an agronomic uptake rate, does it
24 not, whether it be --

25 A Yes. I'm not aware of what that would be, but 10:37

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